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SENATE

{ REPORT
No. 2052

AMENDING THE ACT OF JUNE 28, 1948 (62 STAT. 1061), RELATING TO THE ESTABLISHMENT OF THE INDE- PENDENCE NATIONAL HISTORICAL PARK

JULY 2 (legislative day, JUNE 27) 1952.—Ordered to be printed

Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H. R. 6544]

The Senate Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 6544) to amend the act of June 28, 1948 (62 Stat. 1061), relating to the establishment of the Independence National Historical Park, having considered the same, report favorably thereon without amendment, and with the recommendation that the bill do pass.

The bill provides for the following changes in the act of June 28, 1948 (Public Law 795, 80th Cong.), establishing the Independence National Historical Park, in Philadelphia, Pa.

(1) The properties at 269, 271, 273, and 275 South Fifth Street would be authorized for acquisition by the Federal Government in order to adjust the park boundary, permit widening of the existing narrow Fifth Street entrance, and provide necessary permanent general storage, maintenance, and shop facilities for the park.

(2) The Secretary of the Interior would be authorized to permit the American Philosophical Society to construct, operate, and maintain, at its own expense, a building in the park. This building would house the library and scientific and historical collections of the American Philosophical Society, the oldest scientific society in America. It is understood that the society plans to spend approximately \$2,000,000 to construct a replica of the old Library Hall, which was erected in 1789.

(3) The original authorization of \$4,435,000 would be increased to \$7,700,000, to permit the acquisition of all the properties authorized by the 1948 act. The National Park Service testified before the committee that rising real-estate costs in recent years have made the original authorization inadequate.

An identical bill was introduced in the Senate (S. 2772) by Senators Edward Martin and James H. Duff of Pennsylvania. Both S. 2772 and H. R. 6544 as introduced would have authorized the acquisition of a portion of the site of the house in which Thomas Jefferson wrote the Declaration of Independence. Since no part of the original house is now in existence, the historical significance of this site appears to have been completely lost. The bill was, therefore, amended by the House Committee on Interior and Insular Affairs to delete the authorization for acquiring that property, which amendment was in accord with the recommendation of the Interior Department.

The Interior Department and the Bureau of the Budget were also of the opinion that the Irwin Building, a large modern office building on the northwest corner of Walnut and Fourth Streets, which is among those properties within the authorized park boundaries which have not yet been acquired, is probably too useful to demolish at this time for park purposes. The Irwin Building has an estimated value of \$2,000,000 and is on the edge of the authorized park boundaries and if allowed to remain would in no way detract from the beauty or historical significance of the park. This recommendation was also adopted by the House committee.

The bill was further amended by the House committee to strike out the sum of \$9,857,000 and insert in lieu thereof the sum of \$7,700,000. This reduction would be made possible by elimination of the provision relating to the Jefferson house site, and also by withholding for the time being the acquisition of the Irwin Building.

The Independence National Historical Park is designed to preserve and commemorate, for the benefit and inspiration of the people of the United States, historical sites and buildings intimately associated with the establishment of American independence and the founding and growth of our National Government.

The State of Pennsylvania is participating in development of the project and has spent \$3,500,000 to date, with an additional \$2,600,000 appropriated.

The favorable reports of the Department of the Interior and the Bureau of the Budget to the chairman of the Senate Committee on Interior and Insular Affairs on S. 2772, the companion bill introduced by Senators Martin and Duff, are hereinbelow set forth in full and made a part of this report.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington 25, D. C., April 29, 1952.

HON. JOSEPH O'MAHONEY,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington 25, D. C.*

MY DEAR SENATOR O'MAHONEY: Your committee has requested a report from this Department on S. 2772, a bill to amend the act of June 28, 1948 (62 Stat. 1061), relating to the establishment of the Independence National Historical Park.

We strongly recommend the enactment of this proposed legislation, but believe that consideration should be given to the adoption of the amendments hereinafter discussed.

Enactment of legislation along the lines of S. 2772 is essential for consummation of the Independence National Historical Park project, as authorized by the 1948 act. The first feature of this proposed legislation is a comparatively minor change in the park boundary. This change is necessary to permit acquisition of three additional contiguous properties or lots, identified as "269 to 275 South Fifth Street." The property at 271 South Fifth Street is a part of, and is included in,

the ownership of certain garage property at 413-417 Manning Street, which is within the authorized park boundary. As the Manning Street and the 271 South Fifth Street property are in a single ownership and are operated as one garage facility, it is impracticable, in land acquisition procedure, to separate them, and it is necessary, therefore, to acquire both properties. Acquisition of this additional property will provide necessary permanent general storage, maintenance, and shop facilities for the park. Acquisition of the two properties at 269 and 273-275 South Fifth Street, which abut the 271 South Fifth Street property, is desirable to adjust the park boundary and to make it possible to widen the existing narrow Fifth Street entrance to Manning Street.

This proposed legislation also would authorize the acquisition of a portion of the site of the house in which Thomas Jefferson wrote the Declaration of Independence, situated at the southwest corner of Seventh and Market Streets.

Another feature of this proposed legislation is the provision contained therein that would authorize the Secretary of the Interior to permit the American Philosophical Society to construct, operate, and maintain a building in the park. This building would be located approximately at the original site of historic Library Hall, to house the library of the American Philosophical Society. This authority would be granted the Society on terms and conditions to be approved by the Secretary of the Interior. Library Hall was the first permanent home of the Library Company of Philadelphia. The Library Company was founded by Benjamin Franklin, in 1731, as the first public subscription library in the colonies. Its collection was housed in various places, including Carpenter's Hall, prior to 1789, when the Company completed the construction of Library Hall. We believe the construction of a new "Library Hall" or a building architecturally similar to that historic structure, which will be managed in the public interest by the American Philosophical Society, will be of great value to the Independence National Historical Park and to the Nation's appreciation of that area.

The American Philosophical Society, we are informed, already has assembled the funds for these purposes and proposes to utilize the structure to house its own library collection, which is world renowned for its rare scientific and historical manuscript collections and published works. These include the principal collection of the papers and publications of Benjamin Franklin and the papers and writings of numerous other notable Americans.

This proposed legislation also amends the previous authorization for appropriations for the project contained in the 1948 act by increasing the authorization for appropriations to the sum of \$9,857,000. An increase in the authorization is necessary because of the fact that in acquiring land and properties for the park we have virtually expended the full amount of \$4,435,000 as previously authorized and as appropriated pursuant to the 1948 act. A substantial portion of the authorized area remains to be acquired. This proposed legislation would sanction an additional appropriation of \$5,422,000 for the project.

This report has been submitted to the Bureau of the Budget and we have been advised that there is no objection to the enactment of this proposed legislation if amended as follows:

(1) Delete section 1 (b). This amendment will eliminate the provision in the proposed legislation that would authorize acquisition of a portion of the site of the house in which Thomas Jefferson wrote the Declaration of Independence.

The reasons for this amendment are explained by the Bureau of the Budget as follows:

"No part of the original Thomas Jefferson house, the site of which would be acquired under this proposed legislation, is reportedly now in existence. The National Park Service, it is understood, proposes a very simple commemoration of this site, which is separated from the rest of the park, consisting of a small landscaped plot with a modest memorial of some appropriate design. The acquisition of this site would cost an estimated \$228,000. It is doubtful if the site would have any great significance without a costly reproduction of the original house, a reproduction which would be in the main conjectural since the architectural plans of the house are reportedly unknown. In view of the cost of this project, its limited significance as planned, its isolation from the rest of the authorized park, and the fact that the service of Thomas Jefferson to his country has been adequately commemorated elsewhere and should be recognized in Independence Hall itself, it is considered that the original authorized project should not be amended to include the Jefferson house site."

(2) In the last line of S. 2772 strike out the sum of "\$9,857,000" and insert in lieu thereof the sum of "\$7,700,000." This reduction in the amount of the authorization for appropriations would be possible by elimination of the pro-

vision relating to the Jefferson house site, and also by withholding for the time being the acquisition of the Irwin Building situated within the authorized park area.

The reasons for withholding the acquisition of the Irwin Building are explained by the Bureau of the Budget as follows:

"It is understood that among those properties within the authorized park boundaries which have not yet been acquired is included the Irwin Building, a large modern office building on the northwest corner of Walnut and Fourth Streets. This building, with an estimated value of \$2,000,000, is probably too useful to demolish at this time for park purposes, especially since it is on the edge of the authorized park boundaries and if allowed to remain would in no way detract from the beauty or historical significance of the park. If the building is to be allowed to stand, it would appear desirable that it remain in private ownership."

Sincerely yours,

DALE E. DOTY,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., April 18, 1952.

HON. JOSEPH C. O'MAHONEY,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington 25, D. C.*

MY DEAR SENATOR O'MAHONEY: Receipt is acknowledged of your letter dated March 4, 1952, requesting a report on S. 2772, which would amend the act of June 28, 1948, relating to the establishment of the Independence National Historical Park.

This bill, if enacted, would (1) authorize a minor change in the park boundary to permit acquisition of three additional contiguous properties on the northeast corner of South Fifth and Manning Streets, (2) authorize the acquisition of a portion of the site of the house in which Thomas Jefferson wrote the Declaration in Independence, (3) authorize the Secretary to permit the American Philosophical Society to construct a library in the park on the site of historic Library Hall, and (4) increase the authorization for appropriations for the project from \$4,435,000 to \$9,857,000.

No part of the original Thomas Jefferson house, the site of which would be acquired under this proposed legislation, is reportedly now in existence. The National Park Service, it is understood, proposes a very simple commemoration of this site, which is separated from the rest of the park, consisting of a small landscaped plot with a modest memorial of some appropriate design. The acquisition of this site would cost an estimated \$228,000. It is doubtful if the site would have any great significance without a costly reproduction of the original house, a reproduction which would be in the main conjectural since the architectural plans of the house are reportedly unknown. In view of the cost of this project, its limited significance as planned, its isolation from the rest of the authorized park, and the fact that the service of Thomas Jefferson to his country has been adequately commemorated elsewhere and should be recognized in Independence Hall itself, it is considered that the original authorized project should not be amended to include the Jefferson house site.

It is understood that among those properties within the authorized park boundaries which have not yet been acquired is included the Irwin Building, a large modern office building on the northwest corner of Walnut and Fourth Streets. This building, with an estimated value of \$2,000,000, is probably too useful to demolish at this time for park purposes, especially since it is on the edge of the authorized park boundaries and if allowed to remain would in no way detract from the beauty or historical significance of the park. If the building is to be allowed to stand, it would appear desirable that it remain in private ownership.

Thus, it would appear that paragraph (b) of S. 2772 should be deleted and that the amount of \$7,700,000 should be substituted for the sum of \$9,857,000 on the last line of the bill to reflect the above deletion and the leaving in private ownership of the Irwin Building. If amended as herein indicated there would be no objection to the enactment of this proposed legislation.

The Secretary of the Interior has been given similar advice with respect to his proposed report on several House bills on this subject.

Sincerely yours,

ELMER B. STAATS,
Assistant Director.

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, proposed changes in existing law are indicated below with the matter proposed to be omitted in black brackets and the new matter proposed to be inserted in italics:

ACT OF JUNE 28, 1948 (62 STAT. 1061)

SECTION 1. * * *

(b) A memorial thoroughfare or mall, extending generally from the south side of Walnut Street to the north side of Manning Street, identified as part of "project B" in the report of the Commission. *The properties identified generally as 269, 271, 273, and 275 South Fifth Street in "project B" in the report of the Commission.*

* * * * *

SEC. 3. The Secretary of the Interior, in his discretion, is authorized to construct upon a portion of the land described in section 1 of this Act, or upon other land that may be donated for such purpose, which property he is hereby authorized to accept, such offices and administration buildings as he may deem advisable, together with a suitable auditorium for the interpretation of the historical features of the national historical park. The Secretary of the Interior is also authorized to accept donations of property of national historical significance located in the city of Philadelphia which the Secretary may deem proper for administration as part of the Independence National Historical Park. Any property donated for the purposes of this section shall become a part of the park, following its establishment, upon acceptance by the United States of title to such donated property.

The Secretary of the Interior is authorized to permit the American Philosophical Society, a nonprofit corporation, without cost to the United States, to construct, operate, and maintain in the park a building to be located on approximately the original site of historic Library Hall to house the library of the American Philosophical Society and any additions to said library, such permission to be granted the society pursuant to a lease, contract, or authorization without charge, on such terms and conditions as may be approved by the Secretary and accepted by the society, and for such length of time as the society shall continue to use the said building for the housing, display, and use of a library and scientific and historical collections: Provided, That the plans for the construction of the building and any additions thereto shall be approved by the Secretary of the Interior.

SEC. 6. For the purpose of acquiring the property described in section 1 of this Act, there is hereby authorized to be appropriated not to exceed the sum of **["\$4,435,000."] \$7,700,000.**

Funds appropriated pursuant to this Act shall be available for any expenses incidental to acquisition of property as prescribed by this Act, including the employment of the necessary services in the District of Columbia, and including to the extent deemed necessary by the Secretary of the Interior, the employment without regard to the civil-service laws or the Classification Act of 1923, as amended, of such experts and other officers and employees as are necessary to carry out the provisions of this Act efficiently and in the public interest.



In connection with the publication of this issue of the Journal, the American Medical Association has decided to publish a new series of articles, the first of which is published in this issue. The new series is intended to be published in this form.

ARTICLE BY DR. W. H. WELLS, JR.

A new series of articles, the first of which is published in this issue, is intended to be published in this form. The new series is intended to be published in this form.

The first of the new series of articles is published in this issue. The new series is intended to be published in this form. The new series is intended to be published in this form.

The second of the new series of articles is published in this issue. The new series is intended to be published in this form. The new series is intended to be published in this form.

The third of the new series of articles is published in this issue. The new series is intended to be published in this form. The new series is intended to be published in this form.